

Clerk's Certificate of Constitutional Issue in Case—  
State Statute Questioned

Christopher Serbagi, Esq.  
Law Offices of Christopher Serbagi  
488 Madison Avenue, 11<sup>th</sup> Floor  
Tel: (212) 593-2112  
Fax: (212) 308-8582  
Attorneys for Shaw Family Archives, Ltd. and  
Bradford Licensing Associates

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
SHAW FAMILY ARCHIVES, LTD., EDITH MARCUS	:
and META STEVENS,	:
	:
	:
Plaintiffs,	:
	:
-against-	:
	:
CMG WORLDWIDE, INC., an Indiana Corporation and	:
MARILYN MONROE, LLC., a Delaware Limited	:
Liability Company,	:
	:
Defendants.	:
-----X	

Index No.: 05 CV 3939(CM)  
Index No.: 06 CV 2619(CM)  
  
NOTICE TO COURT THAT  
MOTION INVOLVES  
CHALLENGE TO  
CONSTITUTIONALITY OF  
STATE STATUE  
  
(FED. R. CIV. P. 5.1)

Plaintiff/Consolidated Defendant Shaw Family Archives, Inc., Defendant Bradford Licensing, L.P., Plaintiff Edith Marcus and Plaintiff Meta Stevens (the "Shaw Family") calls to the attention of this Court, pursuant to Rule 5.1(a) of the Federal Rules of Civil Procedure and Section 2403 of Title 28 of the United States Code, that the Shaw Family has filed a motion which challenges the constitutionality of California Civil Code § 3344.1, as amended by SB 771.

In particular, the Shaw Family claims that this statute is unconstitutional because the purported retroactive provisions violate the Shaw Family's due process rights by depriving it of vested property rights.

Dated: February 18, 2008  
New York, New York

LAW OFFICES OF CHRISTOPHER SERBAGI

By:   
Christopher Serbagi

Attorneys for Shaw Family Archives, Ltd.,  
Bradford Licensing Associates, Edith Marcus and  
Meta Stevens